



DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SOIL TEST BOX; the specification of which was filed on August 26, 2003 as Application Serial No. **10/647,998**;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

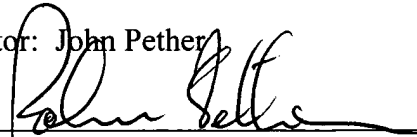
I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14th Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: John Pether

Inventor's signature



Date

26 November 2003

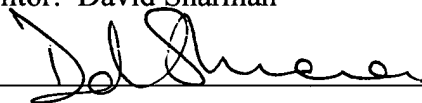
Residence: 2 Kempe Parade, Kings Langley, NSW 2147, Australia

Citizenship: Australian

Post Office Address: Same as above

Full name of second inventor: David Sharman

Inventor's signature



Date

21 NOVEMBER 2003

Residence: 2818 Clubhouse Drive, Plant City, Florida, 33566, USA

Citizenship: Australian

Post Office Address: Same as above

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

Application No.: 10/647,998
Filing Date: August 26, 2003

PATENT
Client Code: BALDS2.036AUS
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ASSIGNMENT

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WHEREAS, We, John Pether, an Australian citizen, residing at 2 Kempe Parade, Kings Langley, NSW 2147, Australia and David Sharman, an Australian citizen, residing at 2818 Clubhouse Drive, Plant City, Florida, 33566, USA (hereinafter referred to as "ASSIGNORS"), have invented certain new and useful improvements in a SONAR TEST BOX, the specification of which was filed on August 26, as U.S. Patent Application Serial No. 10/647,998; 12003

AND WHEREAS, JAMES HARDIE RESEARCH PTY LIMITED (hereinafter "ASSIGNEE"), and Australian Corporation, with its principal place of business at Level 1, Research and Product Development Building, 10 Colquhoun Street, Rosehill, NSW 2142 Australia, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in return for good and valuable consideration, the receipt of which is hereby acknowledge, ASSIGNORS hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights or priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and ASSIGNORS hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

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AND ASSIGNORS covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid in said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, ASSIGNORS intending to be legally bound has hereunto affixed its signature.

Witness:



John Pether

Date:

26 November 2003

Witness:



Date:

26 November 2003

Application No.: 10/647,998
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David Sharman

Witness: 

Date: 11/21/03

Witness: Erik Money

Date: 11-21-03